



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 11 2009

REPLY TO THE ATTENTION OF:

(AE-17J)

Douglas Harris, General Manager
Veolia ES Technical Solutions, L.L.C.
7 Mobile Avenue
Sauget, Illinois 62201

Dear Mr. Harris:

As discussed in my letter of November 25, 2009, the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, 40 C.F.R. Part 63, Subpart EEE (HWC MACT), among other things, requires the owner or operator of a hazardous waste incinerator to submit to the U.S. Environmental Protection Agency a comprehensive performance test (CPT) plan and continuous monitoring system performance evaluation test (CMS PET) plan. Veolia ES Technical Solutions, L.L.C. (Veolia) submitted to EPA on October 14, 2008, CPT and CMS PET plans for Incinerator 2 and revised CPT and CMS PET plans for Incinerator 2 on September 15, 2009. On November 25, 2009, EPA approved the revised CPT and CMS PET plans for Incinerator 2 except for Veolia's request to use prior destruction and removal efficiency (DRE) test results to demonstrate Incinerator 2's compliance with the DRE standard and to establish the DRE OPLs because Veolia did not submit the results of a DRE test on Incinerator 2 with the CPT plan.

Pursuant to 40 C.F.R. § 63.1207(c)(2)(i), Veolia may request that EPA approve the use of previous emissions test data as documentation of compliance with the emission standards of the HWC MACT provided that the data meets certain conditions. In Section 1.3.2 of the October 2008 and September 2009 Incinerator 2 CPT plan, Veolia requested that EPA approve the use of Resource Conservation and Recovery Act Trial Burn data to demonstrate compliance with the DRE standard in 40 C.F.R. § 63.1219(c) and to establish the DRE OPLs required by 40 C.F.R. § 63.1209(j). On December 3, 2009, Veolia submitted the results of a January 1993 DRE test on Incinerator 2. EPA reviewed the Incinerator 2 data and concluded that it meets the criteria set forth in 40 C.F.R. § 63.1207(c)(2)(i)(A-D). Therefore, EPA approves Veolia's request to use prior RCRA Trial Burn DRE data for Incinerator 2 to demonstrate compliance with the DRE standard in 40 C.F.R. § 63.1219(c) and to establish the DRE OPLs required by 40 C.F.R. § 63.1209(j).

Please direct any questions that you have regarding this letter to Charles Hall, of my staff, at (312) 353-3443.

Sincerely,

George Czerniak

Chief

Air Enforcement and Compliance Assurance Branch

cc: Jeff Gorman, ENSR
Michael Reed, Illinois Environmental Protection Agency
Mark Schlueter, Illinois Environmental Protection Agency

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